

Marcus A. Helt
Texas Bar No. 24052187
mhelt@gardere.com
Stacy R. Obenhaus
Texas Bar No. 15161570
sobenhaus@gardere.com
Gardere Wynne Sewell LLP
1601 Elm Street, Suite 3000
Dallas, Texas 75201-4761
Tel: 214.999.3000
Fax: 214.999.4667

Counsel for Open-Silicon Inc.

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

In re:	§	
	§	Chapter 7
COINTERRA INC.,	§	
	§	No. 15-10109-HCM
Debtor.	§	

**UNOPPOSED MOTION TO EXTEND TIME FOR
FILING DESIGNATION OF RECORD/STATEMENT OF ISSUES**

Pursuant to Federal Rule of Bankruptcy Procedure 9006(b), Open-Silicon Inc. asks this court to extend for 30 days the time for designating the record, requesting preparation of the transcript, and stating the issues for appeal pursuant to Rule 8009.

On July 8, 2016, this court entered its Order Denying Application of Open-Silicon Inc. for Administrative Expense Claim [Doc. 104]. On July 21, 2016, Open-Silicon filed a timely notice of appeal of that ruling [Doc. 107]. Under the rules, August 4, 2016, is the deadline for filing a statement of the issues for appeal, a designation of the record on appeal, and a request for preparation of the transcript of the hearing. *See Fed. R. Bankr. P. 8009(a)(1), (b)(1)*. That deadline can be extended. *See Fed. R. Bankr. P. 9006(b)*.

Open-Silicon requests a 30-day extension of the deadline so the pertinent parties can continue ongoing settlement discussions and draft appropriate settlement papers, should settlement be realized, before the parties must spend time designating/counter-designating the issues and appellate record. The actions required are filing a statement of the issues for the appeal; designating the papers to be included in the record on appeal; and requesting preparation of a transcript of the hearing. *See* Fed. R. Bankr. P. 8009(a), (b). The parties have made progress in their settlement discussions, and Open-Silicon believes that discussions have progressed to the point that there is a reasonable possibility for settlement that would resolve all issues in the appeal. In that regard, the Chapter 7 trustee has indicated it does not oppose this request for relief.

Wherefore Open-Silicon asks that this Court extend until September 3, 2016, the deadline by which Open-Silicon must file a statement of issues for the appeal; designate the record on appeal; and request a transcript for appeal.

Respectfully submitted,

/s/ Marcus A. Helt

Marcus A. Helt

Texas Bar No. 24052187

mhelt@gardere.com

Stacy R. Obenhaus

Texas Bar No. 15161570

sobenhaus@gardere.com

Gardere Wynne Sewell LLP

3000 Thanksgiving Tower

1601 Elm Street

Dallas, Texas 75201

Tel: 214.999.3000

Fax: 214.999.4667

ATTORNEYS FOR OPEN-SILICON INC.

CERTIFICATE OF CONFERENCE

I certify that I conferred with Steve Turner, counsel for the Chapter 7 trustee (the sole appellee in the subject appeal) with regard to the relief requested in this motion, and he indicated that the Chapter 7 trustee will **not** oppose this request for relief.

/s/ Marcus A. Helt
Marcus A. Helt

CERTIFICATE OF SERVICE

I certify that on **August 4, 2016**, a copy of this document was served by delivery to the following through the court's ECF system or as otherwise shown:

Lynn Saarinen
Barron & Newburger PC
1212 Guadalupe, Suite 104
Austin, Texas 78701

Automated Circuit Design
1250 American Parkway
Richardson, Texas 75081
[first class mail]

Steve Turner
Barrett Daffin Frappier Turner & Engel LLP
610 West 5th Street, Suite 602
Austin, Texas 78701

E. Paul Keiffer
Wright Ginsberg Brusilow P.C.
325 North St. Paul St., Suite 4150
Dallas, Texas 75201

Adam Swick
Reid Collins & Tsai LLP
1301 S. Capital of Texas Hwy
Building C, Suite 300
Austin, Texas 78746

CoinTerra, Inc.
c/o Timothy A. Davidson II
Andrews & Kurth LLP
600 Travis, Suite 4200
Houston, Texas 77002

Laurence W. Goldberg
BDO USA LLP
4135 Mendenhall Oaks Pkwy, Suite 140
High Point, NC 27265
[first class mail]

Steve Turner
Barrett Daffin Frappier Turner & Engel
610 West 5th Street, Suite 602
Austin, Texas 78701
Fax: 512.477.1112
wdecf@BDFGROUP.com

Willard Proctor, Jr.
Willard Proctor Jr. PA
2100 Wolfe Street
Little Rock, AR 72202-6258
[first class mail]

Kimberly A. Walsh
Attorney General's Office
P.O. Box 12548
Austin, Texas 78711-2548
[first class mail]

Office of the U.S. Trustee
903 San Jacinto Boulevard, Room 230
Austin, Texas 78701
[first class mail]

Randolf Osherow
342 W. Woodlawn, Suite 100
San Antonio, Texas 78212

/s/ Marcus A. Helt
Marcus A. Helt